

SENATE BILL 3388

By Herron

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17; Title 49, Chapter 5 and Title 49,
Chapter 6, relative to steroid abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by inserting a new, appropriately designated section as follows:

§ 49-6-4__.

(a) Any athletic association that sponsors a tournament championship series in which public schools participate shall develop, implement, and enforce rules requiring that a student-athlete be ineligible for two (2) school years to compete in interscholastic athletic competition, if it is determined by the school principal and division director of schools that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

(b) As used in this section, unless the context otherwise requires:

(1) "Anabolic steroid" means a controlled substance as defined in § 39-17-410(f); and

(2) "Student-athlete" means a student participating in interscholastic athletics.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, is further amended by inserting a new, appropriately designated section as follows:

§ 49-6-__.

Every LEA shall establish a program of instruction in relation to the prevention of abuse of anabolic steroids in grades seven (7) through twelve (12) and shall include such instruction in science, health, drug abuse, physical education or other appropriate courses of study. LEA's shall also provide this instruction to students who participate in interscholastic athletic programs. The instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development. The state board of education may assist in the development of instructional materials and teacher training in relation to steroid abuse prevention.

SECTION 3. Tennessee Code Annotated, Section 39-17-430(b)(1)(A), is amended by deleting the language "or" following the language";".

SECTION 4. Tennessee Code Annotated, Section 39-17-430(b)(1)(B), is amended by deleting the language "." and substituting instead the language "; or".

SECTION 5. Tennessee Code Annotated, Section 39-17-430(b)(1), is amended by inserting a new, appropriately designated subdivision (C):

(C) Knowingly, with the intent to compromise the outcome of an athletic competition, procure, sell, or administer anabolic steroids or cause such drugs to be procured, sold, or administered to a student who is a member of a school athletic team.

SECTION 6. Tennessee Code Annotated, Section 49-5-501(3)(D), is amended by deleting the language "or".

SECTION 7. Tennessee Code Annotated, Section 49-5-501(3)(E), is amended by inserting the language "or" following the language ";".

SECTION 8. Tennessee Code Annotated, Section 49-5-501(3), is amended by inserting a new, appropriately designated subdivision (F):

(F) Knowing with the intent to compromise the outcome of an athletic competition procuring, selling, or administering anabolic steroids or causing such drugs to be procured, sold, or administered to a student who is a member of a school athletic team pursuant to § 39-17-430;

SECTION 9. Tennessee Code Annotated, Title 49, Chapter 6, Part 43, is amended by inserting a new, appropriately designated section:

§ 49-6-4303.

(a) Every teacher observing or otherwise having knowledge of anabolic steroid use by a student shall report such drug use immediately to the principal of such school. Every principal having direct knowledge of anabolic steroid use by a student or receiving a report of such drug use shall report the drug use immediately to the municipal or metropolitan police department or sheriff's department having jurisdiction.

(b) The report made to the law enforcement agency shall include, if known, the name and address of the offender, and the name and address of any person who may have procured, sold, or administered the drug to the student. The report shall also contain whatever additional information is requested by the law enforcement agency.

SECTION 10. Tennessee Code Annotated, Section 49-5-501(7)(C), is amended by deleting the language "or".

SECTION 11. Tennessee Code Annotated, Section 49-5-501(7)(D), is amended by inserting the language "or" following the language ";".

SECTION 12. Tennessee Code Annotated, Section 49-5-501(7), is amended by inserting a new, appropriately designated subdivision (E):

(E) Failure to report use of anabolic steroid by a student to the school principal and division director of schools as required by § 49-6-4303;

SECTION 13. Tennessee Code Annotated, Section 49-5-511(a), is amended by inserting a new, appropriately designated subdivision (6):

(6) Any person whose administrative or teaching license is suspended or revoked by the board pursuant to § 49-5-501(3)(F) or § 49-5-501(7)(E) shall be ineligible for three (3) school years for employment in the public schools of the state of Tennessee.

SECTION 14. Tennessee Code Annotated, Section 39-17-417(d), is amended by adding a new subdivision thereto, as follows:

(3) A violation of Section 39-17-430(b)(1)(C) with respect to an anabolic steroid is a Class C felony and, in addition thereto, may be fined not more than two hundred fifty thousand dollars (\$250,000).

SECTION 15. This act shall take effect July 1, 2006, the public welfare requiring it.